Attorney's Docket No.: 17072-005001 / 0272

HE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yuchang Wu et al.

Art Unit : 3736

Serial No.: 10/766,204

Examiner: FOREMAN, J. M.

Filed

January 27, 2004

Conf. No.: 6122

Title : B

: BIOLOGICAL SPECIMEN COLLECTION AND ANALYSIS SYSTEM

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith are an Information Disclosure Statement, Form PTO-1449 (9 pages), cited references and return postcard for filing in connection with the above-captioned patent application.

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The Commissioner is hereby authorized to charge the fee for the extension of time and any other fee that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Fred C. Hernandez

Reg. No. 41,832

Attorney Docket No. 17072-005001 / 0272

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

September 14, 2004
Date of Deposit

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Signature

Kelly M. Fischer

Typed or Printed Name of Person Signing Certificate

Attorney's Docket No.: 17072-005001 / 0272

N 187E UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE WITH 37 C.F.R. §§1.97-1.98

Dear Sir:

Because this Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (9 pages) and copies of the foreign patents and publications are provided herewith in connection with the above-captioned application.

The documents listed on the Form PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed item is necessary.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

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Attorney's Docket No.: 17072-005001 / 0272

Applicant: Wu et al.
Serial No.: 10/766,204
Filed: January 27, 2004

Page : 2 of 2

Applicant also makes known to the Examiner the following pending U.S. and International Applications that have one or more common inventors and/or are commonly owned:

U.S.S.N.(App. no.)	Filing Date	Status	Docket No.
09/915,494	07/25/01	Pending	002001 (0271)
10/211,199	08/02/02	Pending	002002 (0271B)
09/579,673	05/26/00	Pending	006001 (0273)
10/336,204	01/04/03	Pending	007001 (0274)
10/336,203	01/04/03	Pending	008001 (0275)

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references is effective as prior art against the subject application. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. 1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

Respectfully submitted,

Fred C. Hernandez

Reg. No. 41,832

Attorney Docket No. 17072-005001 / 0272 **Address all correspondence to:** Fred C. Hernandez Fish & Richardson P.C.

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Attorney's Docket No. 17072-005001

Application No. 10/766,204

List of Patents and Publications for Applicant's Information Discussive Statement

Applicant

Yuchang Wu et al.

Filing Date

Group Art Unit

January 27, 2004 (37 CFR §1.98(b)) **U.S. Patent Documents** Document Publication Filing Date Examiner Desia. Initial ID Number Date Patentee Class Subclass If Appropriate 09/28/1993 12/18/1990 A RE34,394 Bunting 436 500 В 2002/0004019 01/10/2002 Bachand et al. 422 58 01/04/2001 C 73 49.8 2002/0023482 02/28/2002 Pampinella 05/01/2001 D 2002/0031845 03/14/2002 Cipkowski 436 518 11/06/2001 73 864.91 10/24/2001 E 2002/0046614 04/25/2002 Alley F Tung et al. 424 140.1 2002/0058031 05/16/2002 09/17/2001 G 2002/0085953 07/04/2002 422 61 12/28/2000 Parker Η 2002/0137231 09/26/2002 Cipkowski 436 518 05/23/2002 I 2002/0173047 11/21/2002 436 178 Hudak et al. 05/18/2001 2003/0004396 01/02/2003 Vanden Hock et al. J 600 37 08/23/2002 01/30/2003 K 2003/0022392 Hudak 436 518 07/25/2001 L 2003/0027359 02/06/2003 Hudak et al. 436 518 08/02/2002 M 2003/0129767 07/10/2003 Lorraine et al. 436 178 10/22/2002 N 7.1 2004/0132091 07/08/2004 Ramsey et al. 435 01/04/2003 0 2004/0133128 07/08/2004 Guan et al. 600 584 01/04/2003 P Christner et al. D140,925 04/17/1945 D3203 03/10/1944 10/31/1978 Q D250,129 Skinner D24 121 08/09/1976 R D258,311 02/17/1981 Peterson D24 121 09/15/1978 S D290,136 06/02/1987 Ball et al., **D24** 9 06/11/1984 T D299,744 02/07/1989 Bauer **D24** 17 . 01/09/1986 U D341,663 11/23/1993 Coulter D24 225 03/06/1992 V D361,842 08/29/1995 Nazareth et al. D24 225 05/23/1994 W D366,938 02/06/1996 Shartle et al. D24 224 09/02/1994 X D369,868 05/14/1996 Nazareth et al. D24 225 01/31/1995 Y D384,971 10/14/1997 Kawan D19 9 08/28/1996 Z D388,167 12/23/1997 Caradonna et al. **D24** 107 03/26/1996 D24 223 AA D390,667 02/10/1998 Nazareth 04/08/1997 AB D395,708 06/30/1998 Shartle et al. D24 224 04/04/1996 ACD404,812 01/26/1999 Cipkowski D24 107 02/07/1997 D420,141 D24 223 12/15/1998 AD 02/01/2000 Casterlin

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Substitute Form PTO-1449 U.S. Department of Commerce Attorney's Docket No. Application No. (Modified) Patent and Trademark Office 10/766,204 17072-005001 Applicant List of Patents and Publications for Applicant's Yuchang Wu et al. **Information Disclosure Statement** Filing Date Group Art Unit January 27, 2004 (37 CFR §1.98(b)) **U.S. Patent Documents** Document Publication Filing Date Examiner Desig. Initial ID Patentee Class Subclass If Appropriate Number Date ΑE D430,303 08/29/2000 Cipkowski D24 225 11/01/1999 Wilkinson et al. 08/06/1999 11/28/2000 D24 122 AF D434,494 D449,524 S 10/23/2001 Kieras D9 430 02/09/2001 AG 10/17/2000 D464,141 S 10/08/2002 McMenamy et al. D24 216 AH ΑI D468,204 S 01/07/2003 Gittens et al. D9 430 03/12/2001 ΑJ D468,437 S 01/07/2003 McMenamy et al. D24 216 11/21/2000 ΑK 228,031 05/25/1880 Broughton et al. NA NA Unknown 09/23/1889 AL424,982 04/08/1890 Hidden NA NA NA 645,430 03/13/1900 Smelker et al. NA 09/11/1899 AM AN 711,452 10/14/1902 Meyer et al. NA NA 01/08/1902 AO 3,000,540 09/19/1961 Wheeler 222 14 08/08/1957 AP Schwartzman 222 453 02/27/1970 3,658,216 04/25/1972 Burnett et al. 220 46 11/23/1970 AQ 3,687,333 08/29/1972 46 11/20/1970 AR 3,688,942 09/05/1972 Michell et al. 220 23 230 07/26/1971 AS 3,723,064 03/27/1973 Liotta AT 3,837,518 09/24/1974 Gach 215 7 11/30/1972 ΑU 3,951,748 04/20/1976 Devlin 195 103.5 11/11/1974 AV3,990,850 11/09/1976 Friedman et al. 435 287.9 01/06/1976 215 32 10/30/1975 AW 4,024,976 05/24/1977 Acton 195 103.5 05/03/1976 4,087,326 05/02/1978 Kereluk AX4,087,332 05/02/1978 Hansen 195 127 07/22/1977 ΑY Lampman 220 266 09/19/1977 AZ4,111,329 09/05/1978 BA 4,133,639 01/09/1979 Harte 23 230 03/04/1976 BB4,165,018 08/21/1979 Giggard 220 284 08/31/1978 220 284 05/30/1978 BC 4,177,930 12/11/1979 Crisci 220 270 BD4,190,175 02/26/1980 Allen 03/25/1976 422 72 02/05/1979 BE4,205,043 05/27/1980 Esch et al. 07/08/1980 422 102 10/16/176 BF 4,211,749 Kantner Meunier 435 301 10/30/1978 BG 4,237,234 12/02/1980 09/24/1979 BH06/02/1981 23 230 B 4,270,921 Graas

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Attornev's Docket No. Application No. Substitute Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office (Modified) 17072-005001 10/766,204 Applicant List of Patents and Publications for Applicant's Yuchang Wu et al. Information Disclosure Statement Filing Date Group Art Unit January 27, 2004 (37 CFR §1.98(b)) **U.S. Patent Documents** Document **Publication** Filing Date Examiner Desig. Initial ID Number Date Patentee Class Subclass If Appropriate 03/31/1986 4,700,860 10/20/1987 Li 215 256 CM 436 501 02/14/1984 CN 4,703,017 C1 12/04/2001 Campbell et al. 220 276 03/09/1987 CO 4,711,364 12/08/1987 Letica 220 270 03/27/1987 CP 4,718,571 01/12/1988 Bordner 4,722,458 02/02/1988 Van Dal 222 105 05/06/1986 CQ CR 02/16/1988 Compton et al. 422 58 10/21/1985 4,725,406 7 435 02/14/1985 CS 4,740,468 04/26/1988 Weng et al. 422 56 12/17/1986 Wells et al. CT 4,752,448 06/21/1988 CU 4,769,215 09/06/1988 Ehrenkranz 422 58 03/24/1987 CV 4,806,311 02/21/1989 Greenquist 422 56 08/28/1985 93 436 05/29/1987 CW 4,806,487 02/21/1989 Akers et al. CX 4,807,771 02/28/1989 Roy et al. 215 252 09/11/1987 436 12/15/1986 CY 4,837,168 06/06/1989 de Jaeger et al. 533 436 527 09/28/1987 CZ08/01/1989 Olsen et al. 4,853,335 05/13/1987 DA 4,855,240 08/08/1989 Rosenstein et al. 436 514 04/07/1987 7 Ullman et al. 435 4,857,453 08/15/1989 DB 12/12/1989 220 306 01/23/1989 Chamourian DC 4,886,184 7 DD 4,900,663 02/13/1990 Wie et al. 435 09/13/1985 422 58 09/18/1987 05/08/1990 Nelson DE 4,923,680 07/03/1990 Kelton et al. 422 64 05/22/1989 DF 4,938,927 08/10/1988 7 435 DG 4,943,522 07/24/1990 Eisinger et al. 436 02/08/1988 4,952,517 08/28/1990 Bahar 518 DH Yost et al. 436 524 07/09/1987 DI 4,954,452 09/04/1990 4,959,324 09/25/1990 Ramel et al. 436 169 05/18/1989 DJ Gordon et al. 435 6 09/29/1986 DK 4,960,691 10/02/1990 864.65 02/16/1989 10/09/1990 Gerken 73 DL 4,961,351 220 306 09/22/1988 10/30/1990 Hjordie DM 4,966,302 06/22/1987 435 11 DN 4,973,549 11/27/1990 Khanna et al. 7 09/04/1987 DO 4,981,786 01/01/1991 Dafforn et al. 435 03/16/1989 DP 4,987,085 01/22/1991 Allen et al. 436 169

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Sun et al.

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

08/24/1993

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Date Considered

Incorvia et al.

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

10/05/1999

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Examiner Signature

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Initial	ID	Document
	IP	ACON Magazine Advertisement, IVD Technology Magazine, p.17 Mar/April 2000
	IQ	ACON Magazine Advertisement, IVD Technology Magazine, p.45 Nov/Dec 1999
	IR	ACON Magazine Advertisement, <u>LabMedica Magazine</u> , p.14 Jul/Aug 1999; p.9 Sept/Oct 1999; p.23 Nov/Dec 1999
	IS	ACON OEM Product Brochure, August (2000)
	IT	ACON Product Brochure, "Is he using drugs?", (2003)
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	IV	InTec Products, Inc. Product Brochure, "One step drug-of-abuse test", (2002)
	IW	Handbook: "Urine Specimen Collection Handbook for Federal Workplace Drug Testing Programs, Health and Human Services (HHS) Mandatory Guidelines, The National Clearinghouse for Alcohol and Drug Information. www.health.org/workplace/urinebook.htm

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